1996-97 under 'Tour Expenses' of Schedule 11 to the Governors (Allowances and Privileges Rules, 1987, under sub-section (3) of section 12 of the Governors (Emoluments, Allowances and Privileges) Act, 1982.

[Placed in Library. *See* No. LT 2005/97]

(2) Statement (Hindi and English versions) (i) correcting the reply given on the 4th March, 1997 to Unstarred Question No. 1687 by Prof. Ajit Kumar Mehta regarding Bomb Blast and (ii) giving reasons for delay in correcting the reply.

[Placed in Library. *See* No. LT - 2006/97]

12.02 hrs.

[English]

BUSINESS ADVISORY COMMITTEE
(Thirteenth Report)

SHRIMATI GEETA MUKHERJEE (Panskura) : I beg to present the Thirteenth Report of the Business Advisory Committee.

12.02 ¼ hrs.

[English]

JOINT COMMITTEE ON OFFICES OF PROFIT
(First Report)

SHRIMATI GEETA MUKHERJEE (Panskura) : I beg to present the First Report (Hindi and English versions) of the Joint Committee on Offices of Profit.

12.03 hrs.

[English]

STATEMENT BY MINISTER

Incidents during the Bihar Bandh on 3rd May 1997

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : Mr. Chariman, Sir, some hon, Members have expressed serious concern on the incident of violence in Bihar on 3rd May, 1997 during the Bihar Bandh. A mention was also made of firing on Shri R. P. Singh Rudi, M.P., Bihar.

As per available reports, a Statewide Bandh was observed on 3.5.1997 in Bihar on a call given by the BJP and the Samata Party demanding the dismissal of the State Government and the imposition of the President's Rule in the State following the CBI's decision to file a chargesheet against the Bihar Chief Minister and 54 others in the "fodder scam".

During the Bandh, rail traffic was disrupted resulting in the delayed movement of many local and trunk route trains. However, essential services including hospitals, water and power supplies, were exempted from the purview of the Bandh.

The bandh was marked by stray incidents of violence. Incidents of group clashes between pro-bandh and anti-bandh supporters occurred in major districts, including Saran, Khagaria, Patna, Muzaffarpur, Rohtas, Jehanabad and Munger.

The State Government has reported that during the bandh a clash took place at about 11 a.m. between Shri Rajiv Pratap Rudy, BJP MP and his supporters on the one hand and Shri Raj Kumar Rai, JD MLA and his supporters on the other, in which some rounds were fired. The police reached the spot and the situation was brought under control. Nobody was injured.

The Government of Bihar has further reported that a case No. 117 of 97 dated the 3rd May, 1997 under Sections 147 and 307 of the IPC and under Section 27 of the Arms Act was registered at Police Station Sonepur on the complaint of Constable Subhash Ojha, the bodyguard of Shri R.P. Rudy, MP, alleging armed attack on their procession by 20 persons, including the bodyguard of the local MLA. According to the FIR lodged in this connection, about sixteen rounds were fired, aimed at Shri Rudy. No one was injured in the incident.

Another case No. 118/97 dated the 3rd May, 1997 under Section 27 of the Arms Act has also been registered at the same Police Station on the complaint of the JD MLA, Shri Raj Kumar Rai, against S/Shri Triloki Singh, Awadh Singh, Vimal Singh, Phekan Singh, Baiya Babu, Kewal Singh, Pankaj Singh, Ranvir Singh, Gopai Singh and Balram Singh alleging that these persons, led by the BJP MP, Shri R.P. Rudy, had attacked the complainant and his supporters while they were sitting in their party office and tried to kill them.

Both the cases - in view of the FIR and the counter-FIR from the two sides - are under investigation. ... *(Interruptions)*

SHRI RAJIV PRATAP RUDY (Chhapra) : Sir, the Speaker has permitted me to make a submission ... *(Interruptions)*

MR. CHAIRMAN : Under the Rules, you are not allowed to speak after the statement is read out by the Minister.

... *(Interruptions)*

SHRI JASWANT SINGH (Chittorgarh) : Sir, he is speaking on an assurance given by the Speaker.

SHRI RAJIV PRATAP RUDY : It is a standing commitment of the Speaker in the House. He has given me the permission.

SHRI PINAKI MISHRA (Puri) : Sir, the statement of the hon. Minister of Home Affairs is totally vague as to who has fired the shots.

MR. CHAIRMAN : Shri Rudy, kindly be brief.

.... *(Interruptions)*

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea): Mr. Chairman, Sir, I have given a notice .... *(Interruptions)*

MR. CHAIRMAN : Discussion was held yesterday. You were not present here then.

..... *(Interruptions)*

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Sir, I have given a notice regarding the incidents of rape of Muslim girls ..... *(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga) : Under what Rule are you speaking ? .... *(Interruptions)*

[English]

MR. CHAIRMAN : Yesterday the Speaker has permitted him. The Speaker has given him permission.

.... *(Interruptions)*

MR. CHAIRMAN : Shri Fatmi, you were in the House yesterday when the matter was raised by Shri Rudy.

.... *(Interruptions)*

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI : Sir, the Hon. Minister of Home Affairs has given a Statement. Cases have been filed from both the sides. One of the parties will put forth his case. The another party, the M.L.A is not present here .... *(Interruptions)*

[English]

MR. CHAIRMAN : Please take your seat.

..... *(Interruptions)*

[Translation]

MR. CHAIRMAN : Shri Ram Kripalji, please take your seat. first.

.... *(Interruptions)*

SHRIMATI SUSHMA SWARAJ (South Delhi) : Sir, you konw it that I have been given permission. (Interruptions)

SHRI MOHAMMAD ALI ASHRAF FATMI : Under what rule ?

SHRIMATI SUSHMA SWARAJ : Sir, he is asking the particular rule.

MR. CHAIRMAN : I am just telling you. Please tke your seat first. Unless you resume your seat, how can I speak. Shri Pappu, please take your seat.

..... *(Interruptions)*

[English]

MR. CHAIRMAN : Shri Kishore Rai, please take your seat.

..... *(Interruptions)*

AN HON. MEMBER : Sir I am on a Point of Order.

MR. CHAIRMAN : There is no point of order.

.... *(Interruptions)*

[Translation]

SHRI RAJIV PRATAP RUDY : Mr. Chairman Sir, Whatever we were expecting today regarding this incident ..... *(Interruptions)*

The Home Minister will reply to it. ..*(Interruptions)*

[English]

SHRI QAMARUL ISLAM (Gulbarga) : The Home Minister has already made his statement. I want to know from the Chair the rule under which clarifications can be sought. Please quote the rule, Sir ... *(Interruptions)*

MR. CHAIRMAN : Please take your seat.

SHRI QAMARUL ISLAM : As per the procedure, when a Minister has already made his statement, there would not be any clarification from the hon. Members, Now the hon. Member is again seeking clarification. Under what rule are you permitting him, Sir ?

MR. CHAIRMAN : I will tell you, Please take your seat.

.... *(Interruptions)*

SHRI QAMARUL ISLAM : Please quote the rule, Sir so that we may also take an advantage whenever there is a statement made by a Minister. We may also take it as an example to be followed for the future. This will become a glaring example for the furture.

MR. CHAIRMAN : Please take your seats, Shri Ram Kripal Yadav and Shri Pappu Yadav.

.... *(Interruptions)*

[Translation]

MR. CHAIRMAN : Please take your seat. I will tell you.

SHRI MOHAMMAD ALI ASHRAF FATMI : You please tell us.

MR. CHAIRMAN : You are not giving me any opportunity to tell the fact. Please cool down and resume your seat.

.... *(Interruptions)*

MR. CHAIRMAN : You were not present yesterday.

.... *(Interruptions)*

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Sir, yesterday there was an accident .... *(Interruptions)* 14 persons have been killed.. *(Interruptions)*

MR. CHAIRMAN : All right. Please take your seat.

[English]

SHRI QAMARUL ISLAM : This is a question of principle. This sort of a thing is frequently tried in the House. .....*(Interruptions)*

MR. CHAIRMAN : Please take your seat. I will tell you.

.... *(Interruptions)*

[Translation]

MR. CHAIRMAN : Shri Fatmi, please take your seat. I will tell you.

[English]

SHRI QAMARUL ISLAM : Sir, kindly inform the House, under what rule are you permitting him ... *(Interruptions)*

MR. CHAIRMAN : Shri Fatmi, I will tell you. Please take your seat.

.... *(Interrruptions)*

MR. CHAIRMAN : Shri Mishra, Please take your seat.

..... *(Interruptions)*

MR. CHAIRMAN : Yesterday, he wanted to raise a privilage matter. I think you were also present at that time. Then the Speaker said, "I will give you an opportunity after the Minsiter makes a statement, I promise."

SHRI ANNASAHIB M. K. PATIL (Erandol) : Now, it is a question of the promise of the Speaker.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Chairman, Sir, the hon. Speaker has the powers. The statement has been given. The cases have been filed by both the parties. But one of the parties will put forth its stand, but the other can't . It is not a High Court or the Supreme Court ... *(Interruptions)*

[English]

MR. CHAIRMAN : It is the discretion of the Chair. Hon, Member, Shri Rudy, may please speak.

.... *(Interruptions)*

MR. CHAIRMAN : I have allowed Shri Rudy only.

.... *(Interruptions)*

MR. CHAIRMAN : Nothing will go on record.

.... *(Interruptions)**

PROF. RITA VERMA (Dhandbad) : Why do you not name them?

MR. CHAIRMAN : Shri Fatmi, I have allowed Shri Rudy only.

[Translation]

SHRI PRAMOD MAHAJAN (Mumbai- North East) : Mr. Chairman, Sir, is there any leader of the House who can help run the House ?

[English]

There is no leader of the House. He is not helping the Chair. They are not able to keep the promise of the Speaker. The Leader of the House should help the Chair. Where is the Leader of the House! The Chair is trying to implement the Speaker's order ....*(Interruptions)*

MR. CHAIRMAN : Let him Speak.

[Translation]

If at all you have anything to speak. Please speak afterwards. Please do not speak now.

..... *(Interruptions)*

** Not Recorded*

[English]

MR. CHAIRMAN : Shri Fatmi, This is not fair. Please take your seat.

..... *(Interruptions)*

[Translation]

MR. CHAIRMAN : You will be called later on.

..... *(Interruptions)*

MR. CHAIRMAN : Shri Ram Kripalji, please resume your seat.

[English]

Please take your seat first.

.... *(Interruptions)*

[Translation]

MR. CHAIRMAN : Mr. Rudy, Please be brief.

SHRI RAJIV PRATAP RUDY : Mr. Chairman, Sir, I will be very brief. I was hearing the reply of the hon. Home Minister.

MR. CHAIRMAN : No clarifications please. Please narrate the actual incident.

SHRI RAJIV PRATAP RUDY : Mr. Chairman, Sir, I have been waiting for the statement of the hon Minister of Home Affairs for the last one week. I know that the conscience of the hon. Minister was well acquainted with the contents while he was reading out his statement. He has shown the Report sent by the State Government. The Hon. Home Minister has gone through the *Manual*. His facial expression reflected that he had ..... *(Interruptions)*. Sir he also has his own resources. He is running the country. The report has been sent to him by the secret agency. I have evidence in this regard.

MR. CHAIRMAN : Please tell me the actual incident.

[English]

SHRI RAJIV PRATAP RUDY : I would like the Home Minister to just contradict the statements and I am prepared for any action on your side. I would just like the Home Minister to contradict what I have to ask him. I do not have anything to speak after that in front of this House.

Mr. Chairman, through you I would like to ask the hon. Home Minister .... *(Interruptions)*... It is a matter of fact which I am going to place before the House. I am not going to cast aspersions on anyone. I am just going to pose ten small questions to the hon. Home Minister. If he feels that he can reply to them, he is welcome.

Is it not a fact that the Sonepur constituency, where the incident took place, is a onetime constituency of the Chief Minister of Bihar? Is it not a fact that the constituency which I represent, the Chhapra Parliamentary constituency, has been the constituency of the Chief MInsiter of Bihar twice? Is it not a fact that all the six Assembly segments under that Pariliamentary seat are represented by Janta Dal legislators? I would like to ask him about one more fact. Let us forget about the incident. Is it not a fact that three legislators have been killed in my District in the last five years? ...*(Interruptions)*... Please let me ask my questions. I am just asking simple questions ....*(Interruptions)*... They are related to the incident which took place. I will take only five minutes. I am not going to ask for more time.

MR. CHAIRMAN : Shri Rudy, you are to narrate what had happened on that day. You are not to ask any questions.

SHRI RAJIV PRATAP RUDY : I am placing the facts before the House through questions.

MR. CHAIRMAN : You just narrate the incident.

SHRI SOMNATH CHATTERJEE (Bolpur): Let the hon. Member make his statement.

SHRI JASWANT SINGH (Chittorgarh) : Mr. Chairman, let me clarify as to how it arises that an hon. Member of Parliament belonging to my party has been permitted by the hon. Speaker to make a representation. It arises from a Privilege Motion that he gave. It is a Privilege Motion that he had moved. He wanted to make a submission relating to a Privilege Motion. ....*(Interruptions)*... Thereafter the Speaker had said, "I accept that there is some leg on which you to stand but before you say anything about your privilege Motion I would request the hon. Home Minister to come to the House with the facts." The Home Minister has come to the House with such facts as he has obtained. The hon. Member is now making a submission not on what the Home Minister has said, but inclusive of what he has to say about the Privilege Motion. The origin of this entire thing is a Privilege Motion that he had moved. Therefore, with due regard and respect to you, it is not for anyone here in this House to suggest to him as to what he should say in submitting to the House that a breach of privilege has been committed.

SHRI SOMNATH CHATTERJEE : We are not suggesting to him. We are requesting him not to put questions. This is not a question-answer session. ....*(Interruptions)*.... Let him make his submission .... *(Interruptions)*

SHRI RAJIV PRATAP RUDY : All my statements are in my questions. .....*(Interruptions)*

MR. CHAIRMAN : Shri Rudy, yesterday you wanted to make a submission.

SHRI RAJIV PRATAP RUDY : It seems that you do not like my oration, Sir, I am putting the facts through my questions. The questions are self-evident.

MR. CHAIRMAN : You wanted to make a submission yesterday. What the hon. Speaker said yesterday after the Home Minister's clarification was that you may make a statement.

SHRI RAJIV PRATAP RUDY : Why is it that he did not respond ? All my answers are in the questions which I am asking.

MR. CHAIRMAN : You should not ask any questions.

SHRI RAJIV PRATAP RUDY : Okay, Sir, let it be my submission.

MR. CHAIRMAN : Make your submission.

SHRI RAJIV PRATAP RUDY : It is a submission through questions which are relevant.

MR. CHAIRMAN: No questions, please.

.... *(Interruptions)*

SHRI RAJIV PRATAP RUDY : Let us forget it ... *(Interruptions)* .... I will not put in the question form ... *(Interrruptions)*... Three MLAs were killed in my constituency in the last five years. you are asking me to elaborate but I wanted to put questions in brief ..... *(Interruptions)* Three MLAs were killed in my district. Because of a perpetual threat on my life, the Minsitry of Home Affairs has provided me 'X' category security. They are aware that there is every possibility of liquidation of Rajiv Pratap Rudy. Moreover, there are six Assembly segments and there are six legislators in my constituency. But before leaving Delhi, I had informed the security lines here that I was going to Sonepur. Why is it that only one legislator was waiting there to defend his constituency and none of them was there in five other constituencies? What is the purpose of a legislator? The duty of maintaining law and order in a State is that of the State ....*(Interruptions)*

MR. CHAIRMAN : What has actually happened, Mr. Rudy?

.....*(Interruptions)*

MR. CHAIRMAN : Come to that question.

.....*(Interruptions)*

SHRI RAJIV PRATAP RUDY : The duty of maintaining law and order is that of the State Police, of the Magistrate and of the civil administration. What is the local MLA with about ten people doing there? Is it the responsibility of the legislators in the State to maintain law and order today? .....*(Interruptions)* I want to know.....(Interruptions) what was the truth?.....*(Interruptions)* I was followed in a procession. When we crossed the procession, 20 people followed us. He has admitted that there was an MLA. His name is Shri Raj Kumar Rai and he was following us. Air firing took place there and there were criminals accompanying him who opened fire at me. I would like to know that if that was the situation, why did the DSP after the incident, when his cops dragged me on the floor of the streets of Sonepur, took me across the railway station. Why did the DSP had to rush across those firing ranges and come and fetch me to the police station? He grasped me because he was shivering with fear that this MP was going to be shot dead. Why is it that fact not mentioned that the DSP went to the spot and collected me in his jeep and ran with me to the police station? Why is it not mentioned that I was there in the police station making an FIR and after I left that police station, there was an after-thorught by the civil administration and they lodged an FIR, they did not accuse me but they accused my supporters who were following me. What does this reflect, Mr. Home Minister?

MR. CHAIRMAN : Again you are asking question?

.....*(Interruptions)*

SHRI PRAMOD MAHAJAN : I have a suggestion. We all will write his submission and he will read it... This is an articulation. It is his style .... *(Interruptions)*

SHRI RAJIV PRATAP RUDY : When a Member of Parliament visits his constituency, why should even a single shot be fired when he is pesent there? What is the basic concept? Why should there be even one firing when MP visits his constituency? How has that situation arisen then? Why is an MLA present when a local MP visits that place? If the Home Minister has to deny, he should deny this one-page report which I have, I have nothing else to say.

"It is the report dated: 3.5.97; time: 1300 hours; place: Hajipur.

MR. CHAIRMAN : Which report?

SHRI RAJIV PRATAP RUDY : Let the Home Minister deny.

MR. CHAIRMAN : Whose report is this, Mr. Rudy?

SHRI RAJIV PRATAP RUDY : "Incident of attack on 3.5.97 on Rajiv Pratap Rudy, M. P., Chhapra during Bihar *bandh* on the joint call of BJP and Samata Party against Fodder Scam. Around 10.45 a.m., a procession of around 80 to 100 BJP and Samata Party workers .....*(Interruptions)*

MR. CHAIRMAN : Whose Report is this ?

SHRI RAJIV PRATAP RUDY : This is the Intelligence Report filed for the first time.....*(Interruptions)* This is the Report on which the Home Minister wanted to speak but he is barred from speaking because .... *(Interruptions)*

"Eighty to 100 BJP and Samata Party workers led by local MP, Shri Rajiv Pratap Rudy while heading towards Gola Bazar in Sonepur were followed by Mr. Raj Kumar Rai, JD MLA with 10 to 12 persons who were carrying arms.

The local district police was present and was accompanying the procession when near Durga Mandir, there was a scuffle and four rounds were fired in air by the persons/activists following Mr. R.P. Rudy causing a total stampede and Mr. Manoj Rai, fired two shots at the M.P. at a distance of around 200 yards with a rifle. The local MLA, Mr. Raj Kumar was seen with a double barrel gun firing in the air and the security constable of MLA, Mr. Raj Kumar Rai, holding a sten gun was seen in position aiming at the M.P. and his security personnel though it is reported that no firing was done by him. The M.P. had one security from the District Police and two PSOs from the Delhi Police who covered the M.P. and dragged Mr. Rudy towards a side lane with no injury. No shots were fired in self defence. This incident took place between 11.00 a.m. and 11.30 a.m.

Note on local police : The district police including the DSP, Mr. Kumar Aickley who had reached the spot when firing was taking place did not apprehend or take any step to stop the firing. Two officers of local Police Station who were accompnying the M.P., Mr. R. K. Dubey, ASI and Mr. Anil Kumar, ASI rushed to the DSP, Mr. Kumar Aickley who had fled from the scene, went to the MP and brought him from Primary School, Pravezabad in his official DSP jeep after which an FIR was lodged at Sonepur Police Station by PSO, Mr. Subhash Ojha at 12.15 p.m. The copy of FIR is endorsed for information. The SDM was at the police station.

Remarks : Mr. R.P. Rudy is unhurt and situation is tense. No arrests have been made so far. Police patrolling has been intensified." ..... *(Interrruptions)*

MR. CHAIRMAN : Please take your seats.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Chairman, Sir, the hon. Minister of Home Affairs should reply as to how the C.B.I report reaches the B.J.P. and the Samata Party. Was it leaked by the Ministry of Home Affairs itself? How did it reach them? It is a very serious issue. It is not a simple matter. How did the C.B.I. report reach them? .....*(Interruptions)*

SHRI NAVAL KISHORE RAI : Mr. Chairman Sir, please issue them instructions to authenticate this report .....*(Interruptions)*

MR. CHAIRMAN : Please take your seat .

SHRI MAHOMMAD ALI ASHRAF FATMI : How did the C.B.I. report reach them? How was it leaked? This is not proper. How did this report reach a Member of the House? .....*(Interruptions)*.

[English]

This is not proper. How can an intelligence report go to an M.P.? ..... *(Interruptions)*

SHRI RAJIV PRATAP RUDY : This is the first Report sent by the local intelligence officers from the Home Ministry. (Interruptions) Sir, I am authenticating this Report. I will give whatever points I have recorded. I will lay it on the Table of the House. ..... *(Interruptions)*.

MR. CHAIRMAN : Please take your seats. Nothing will go on record except what Shri Rudy says.

..... *(Interruptions)**

12.34 hrs.

At this stage, Shri Mohammad Ali Ashraf Fatmi and some other hon. Members came and stood on the floor near the Table.

SHRI RAJIV PRATAP RUDY : Sir, I would like the Home Minister to deny these facts. I authenticate this. I would like to lay it on the Table of the House, but at the same time, if the lips of the Home Minister cannot open and he continues to be ruthless, then ....*(Interruptions)*

MR. CHAIRMAN : Please go back to your seats.

.....*(Interruptions)*

[Translation]

MR. CHAIRMAN : If you clamour in this manner, how can I ask him about authentication.

....*(Interruptions)*

MR. CHAIRMAN : Please take your seat. I am telling him.

....*(Interruptions)*

[English]

MR. CHAIRMAN : I will ask him about authentication.

.... *(Interruptions)*

MR. CHAIRMAN : Please take your seats.

[Translation]

Please take your seats. I will ask him. Please take your seats.

....*(Interruptions)*

** Not Recorded.*

12.36 hrs.

At this stage Shri Mohammad Ali Ashraf Fatmi and some hon. Members went back to their seats.

MR. CHAIRMAN : Shri Ram Kripal, Please sit down. Shri Pappu, please you also sit down.

... (Interruptions)

SHRI MOHAMMAD ALI ASHRAF FATMI : The report is being leaked. .... *(Interruptions)*

SHRI RAM KRIPAL YADAV (Patna) : This conspiracy is being hatched in collusion with the B.J.P. *(Interruptions)*

MR. CHAIRMAN : Please resume your seats. I will look into it.

.... *(Interruptions)*

[English]

MR. CHAIRMAN : Are you authenticating it?

SHRI RAJIV PRATAP RUDY:These are the facts. If they are not so, let the Home Minister deny it. Let the Home Minister deny what I have said.

MR. CHAIRMAN : I think, you have quoted from the report.

SHRI RAJIV PRATAP RUDY . Yes, Sir, If it is wrong, let the Home Minister deny it.

MR. CHAIRMAN : Mr. Rudy, you have quoted from a report. What is that report?

SHRI RAJIV PRATAP RUDY : Yes, I have quoted from the report. It is the property of the House. This is the First Intelligence report.

MR. CHAIRMAN : How can this be a property of the House unless you have authenticated and laid it on the Table of the House?

SHRI RAJIV PRATAP RUDY : Yes, I authenticate it and lay it on the Table of the House.

MR. CHAIRMAN : Have you given any notice?

SHRI RAJIV PRATAP RUDY : No, Sir.

MR. CHAIRMAN : For this prior permission is required.

SHRI JASWANT SINGH : Mr. Chairman, what we are seized with here is an assault on the life of a Member of Parliament. That he has chosen the method of privilege motion to bring to this House the question of a murderous assault on him is not to be bound by rules alone. If the hon. Member is quoting from an official document, anyone here or there can say that the official document be laid on the Table of the House. No authentication is required.

Secondly, if he quotes from a document and says that he is authenticating, no prior permission is required.

MR. CHAIRMAN : No. For this prior permission is required.

....(Interruptions)

SHRI JASWANT SINGH : If he quotes from the report and if he authenticates on the spot, prior permission is not required. .... *(Interruptions)*

Do you want to deny him his right?

MR. CHAIRMAN : No, he is not being denied. He has been permitted to make a submission and to narrate what has happened.

.....(Interruptions)

SHRI CHANDRA SHEKHAR : Mr. Chairman, Sir, there may be a rule for laying a document on the Table. But if any Member has got some information and some report with him, neither the House nor the Chair can ask the source of that report. It is only his responsibility to quote from that report.

Mr. Rudy may not be authorised to lay on the Table of the House that report, but he is within his rights to quote from that report and they should form part of the proceedings. Yes, of course ..... *(Interruptions)*

Please hear me. .....*(Interruptions)*

MR. CHAIRMAN : Let him complete.

SHRI CHANDRA SHEKHAR : It is the responsibility of the Member that he is quoting form an authenticated report and if it proves otherwise, the House, can take action against the Member. This has been the practice. But we cannot stop any Member from quoting. If anybody thinks that it is a wrong report... *(Interruptions)*.... Please hear me. If the hon. Home Minister says that it is a wrong report, then the whole thing takes a different turn. But if the hon. Member says that it is an authenticated report, I do not see any reason why this House should take any objection. It the Member feels that his life is under threat— and such a report was there from the official agencies and has been brought before the House — the Member is within his right to bring that report before the House. I do not see any reason why we should stop him from doing that *.....(Interruptions)*

SHRI RUPCHAND PAL (Hooghly) : Sir , it is a very serious matter. The hon. Member is quoting from a document and that too he claims to be an Intelligence report. If it is

proved to be wrong or false, then it attracts a matter of privilege. But whether it is authentic or not and must it not become the property of the House is the question. He can lay it on ethe Table after it has been authenticated ... *(Interruptions)*

[Translation)

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Chairman, Sir, please allow me to speak for one minute .... *(Interruptions)*

PROF. RITA VERMA : Mr. Chairman, Sir, if you allow him to speak, I will also speak .... *(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Chairman, Sir, I would only want to say... *(Interruptions)*

PROF. RITA VERMA : Mr. Chairman, Sir, if they will speak repeatedly, then please allow us also to speak ... *(Interruptions)*

[English]

MR. CHAIRMAN : Mr. Rudy, have you concluded your submission?

SHRI RAJIV PRATAP RUDY : Sir, before I conclude, I would request the Chair that the authenticated statement which I have made ... *(Interruptions)*

MR. CHAIRMAN : You have not taken prior permission.

....*(Interruptions)*

SHRI RAJIV PRATAP RUDY : It is a privilege matter....*(Interruptions)* I seek your permission, Sir, Since, I have quoted all this in the House and not in person, let the hon. Home Minister deny all this. I am prepared for the action and I will allow the House to take any action against me. But let the hon. Home Minister come out with whatever he wants to say against this. Why is he keeping quiet? Why is he not accepting what I have said? This is my privilege. Let the hon. Home Minister respond to my queries .... *(Interruptions)* I am not saying anything else... *(Interruptions)* I am just saying that what the hon. Home Minister has said, I would like to contest.... *(Interruptions)*

SHRI SOMNATH CHATTERJEE : Sir, we are all concerned that the hon. Member feels that there was a murderous attack on him. We want to know the truth of the matter. But we have to find out as to what we should do. He is quoting from a document.

What Shri Chandra Shekhar has said, I may have some reservations on that because how do we compare whether it is a correct copy or not?... *(Interruptions)* Kindly allow me to speak, I have not interrupted anyone .... *(Interruptions)* The hon. Home Minister was only reading out a report received from the Bihar Government ... *(Interruptions)*

SHRI RAJIV PRATAP RUDY : Why does he not read out his own report from his own agencies? .... *(Interruptions)*

SHRI SOMNATH CHATTERJEE : What is this? The hon. Member should have some patience. The hon. Member is looking at me with murderous eyes.... *(Interruptions)* Therefore, how can the hon. Home Minister go on replying, I do not know. The Home Minister of India is a very powerful man.

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): So what?

SHRI SOMNATH CHATTERJEE : Because the questions are being put to the Home Minister, I was trying to help him. If he does not need my help, what can I do? ... *(Interruptions)*

Therefore, the point is whether we can ask the hon. Home Minister to say whether it is correct or not. It is just like that I bring out something on a plain piece of paper on which the Intelligence report is quoted and ask you to find out the truth. Apart from this, his contact with the authorities and his access to the authorities is a matter of great suspicion also.

PROF. RITA VERMA: Why suspicion? ... *(Interruptions)*

SHRI SOMNATH CHATTERJEE : Therefore, I endorse what Shri Chandra Shankhar has said that a Member's right is very important and his protection has to be assured. But let us not murder some of the rules in the process. Therefore, let those documents be properly placed so that these can be compared also and the hon. Home Minister can say whether it is correct or not. On that basis let it be decided.

SHRI JASWANT SINGH: The basic issue is a motion of breach of privilege, as moved by the hon. Member and a breach of privilege committed against the hon. Member. These are all issues arising out of that breach of privilege. I do not think that the total question of breach of privilege, the aspect of a murderous assault on him should be drowned under the technicalities of whether he can lay it on the Table of the House or whether it ought to be authenticated or not. the central issue remains a breach of privilege, a murderous attack on the hon. Member. I am sure that he will say and make an appeal, at the end of all this, that this issue be referred to the Committee of Privileges. Let the Committee of Privileges examine all these. ....*(Interruptions)* Shri Somnath Chatterjee, why are you opposing it? He is my dear and an eminent friend ....*(Interruptions)*

SHRI SOMNATH CHATTERJEE : I am not opposing any reference to the Committee of Privileges but let us not take certain things for granted. For the purpose of doing justice, let us not do injustice to other things ...*(Interruptions)*

SHRI JASWANT SINGH : I appeal to my friends in the Congress Party that here is a fact that 16 bullets, as admitted by the hon. Home Minister, had been fired on the hon. Member and all that is required is a reference to the Privileges Committee. ...*(Interruptions)*

SHRI SONTOSH MOHAN DEV (Silchar) : It is not the functioning of the Congress Party to decide it. You cannot go on saying ...*(Interruptions)*

SHRI JASWANT SINGH : I am seeking your support ...*(Interruptions)*

SHRI SONTOSH MOHAN DEV : We have nothing to do whether it should go to the Privileges Committee. It is the Chair to decide. The fact is that the Speaker had said that he would have a chance to speak. He should have been allowed to speak though we are opposing his method of speaking....*(Interruptions)*

MR. CHAIRMAN : Now, he was allowed.

SHRI SONTOSH MOHAN DEV : He is a new Member. I support him because he is a sportsman. I played cricket together and I support him. But, what I am saying is that the House has taken enough time for Bihar issue. If the hon. Home Minister wants to say something, he can say. The Speaker, once he hears, must consider very soon whether it should go to the Privileges Committee. Let the Speaker decide it... *(Interruptions)*.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI : Mr. Chairman Sir, please allow me to speak for one minute only. *(Interruptions)*

SHRI RAM KRIPAL YADAV (Patna) : Mr. Chairman, Sir, you are not allowing us to speak. We also want to express our views...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Rajiv Pratap Rudy, have you concluded?

SHRI RAJIV PRATAP RUDY : No, Sir. I will have to say one last sentence.

Sir, I raised this matter of privilege in front of the House for the basic reason that I have to visit my constituency, I have to serve my constituency and I have been deprived of going and coducting my activities freely in my constituency. If the House desires — I do not know whether I can expect a remark from the hon, Home Minister, I remember that once he had said: 'If the tourists visiting Jammu and Kashmir are scared, why do they visit Jammu and Kashmir?' —If the Home Minister desires, he can direct us .... *(Interruptions)*

MR. CHAIRMAN: Why are you expanding it? You kindly conclude now.

SHRI RAJIV PRATAP RUDY : If the Home Minister desires, he can direct us not to visit our parliamentary constituency. I would like to make a submission that I have a basic privilege of my life and performing my activity and impartial performance in my constituency. This matter should be referred to the Privileges Committee because it relates to the matter of privilege of a performing Member of Parliament.

MR. CHAIRMAN : Now I call upon the Home Minister to speak.

..... *(Interruptions)*

[Translation]

SHRI MOHAMMD ALI ASHRAF FATMI : Please listen to us also ....*(Interruptions)*

The Home Minister may speak after listening to us for one minute.

MR. CHAIRMAN : Please listen to the Home Minister first ....*(Interruptions)*

[English]

SHRI INDRAJIT GUPTA : Mr. Chairman, Sir, as far the question of privilege goes, that means when a hon. Member of this House is complaining and alleging that his normal duties as a Member of Parliament, which includes visiting his constituency whenever he is required to do so, are being interfered with or are being prevented by issue of some threat, which exists there — threat to his life and so on — that is a very serious matter. We have had many cases in the past. I remember, years have gone by when the Members had come before this House and complained that they were prevented from carrying out their functions as Members of Parliament. And on those cases, as far as I remember — my memory may be failing me, I do not know most of the cases were referred to the Privileges Committee.

In the case of Shri Rajiv Pratap Rudy, after hearing him also, I have not got the slightest objection to this matter being referred to the Privileges Committee. But, Sir, from what you stated from the Chair and you are quoting what the hon. Speaker had said yesterday - I was not here ; I was in the house at that time. - I come to know that he had said that after I had made my statement, Shri Rajiv Pratap Rudy would be allowed to make a submission or a statement. Well, that has been done, although, maybe, it is not strictly in accordance with the rules of this House which do not permit such things to be done. Actually it is permitted in the other House but not in this House. Anyway, we have to honour the direction given by the Speaker. So, Shri Rajiv Pratap Rudy was permitted and he made quite a lengthy statement or submission whatever you liked to call it here. So that is what he was asked to do and he has done it. Now I am under no obligation to reply to 50 more questions which he may choose to raise. He can raise many questions

that he likes. But I was never called upon that I must reply to all his questions. Why should I, Sir? It is not my job. .... *(Interruptions)* .... If we look at this whole matter as to what actually happened on the third in that area, in Sonepur, my trouble is, there happened to be two different complaints which are contradictory to each other. There is a complaint. There is a counter complaint. There is an FIR. There is a counter-FIR. I am not sitting in judgement on that. I cannot do that. That is the matter of investigation which is going on now. If you want, Sir, that this House should investigate the matter, bring evidence here and call witnesses here, I do not think it is possible for us to go through such an exercise.

MR. CHAIRMAN : How can it be?

SHRI INDRAJIT GUPTA : If the Committee of Privileges can go into the whole matter if it wants to, certainly that is its right and I would have no objection to that.

As far as any continuing threat to Shri Rajiv Pratap Rudy or to his life in his constituency is concerned, if he tells me, approaches me, I am prepared to strengthen whatever security arrangements are there for him. We are prepared to give him extra security for that. There is no question about it because he is an hon. Member of this House. But beyond that, now he having made his statement as permitted by the Speaker, I think the House should now conclude this matter. There is nothing further we can do about that.

SHRI SONTOSH MOHAN DEV : All the Ministers are obliged to answer to the questions of the Members of Parliament. He says, 'I am not supposed to answer'. This is not correct.

MR. CHAIRMAN : Dr. Debi Prosad Pal.

...(Interruptions)

SHRI INDRAJIT GUPTA : I must attend the class ... *(Interruptions)* He is a teacher. .....*(Interruptions)* I am his student.

SHRI RAM NAIK (Mumbai North) : Sir, are you reserving your ruling on this ? .... *(Interruptions)*

SHRI PRAMOD MAHAJAN (Mumbai North-East) : Sir, the hon. Home Minister has no objection in referring this matter to the Privileges Committee.

MR. CHAIRMAN : In regard to reference to the Privileges Committee, that will be decided by the hon. Speaker.

[Translation]

SHRI RAJESH RANJAN *alias* PAPPU YADAV : I have also given notice on this issue.

SHRIMATI SUSHMA SWARAJ : Mr. Pappu, I have been allowed to speak. Please speak after me .... *(Interruptions)*

SHRI RAJESH RANJAN *alias* PAPPU YADAV : Please allow me also to speak.

MR. CHAIRMAN : Please speak after her.

[English]

SHRI P.V. RAJESHWAR RAO (Secunderabad) : Other than Bihar, there is nothing. What is this? .....*(Interruptions)*

MR. CHAIRMAN : You will also be allowed.

..... (Interruptions)

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Sir, lakhs of workers are being prevented.

SHRI P. V. RAJESHWAR RAO : Sir, in Andhra Pradesh, we have got a burning problem... *(Interruptions)*

SHRI SRIBALLAV PANIGRAHI : Sir, we are not getting an opportunity. ...*(Interruptions)*

MR. CHAIRMAN : Your notice is there. You will get an opportunity.

...(Interruptions)

MR. CHAIRMAN : You will get the opportunity.

....(Interruptions)

MR. CHAIRMAN : I will try to accommodate as many Members as possible within the time limit. Unless you cooperate, how can I accommodate you?

.....(Interruptions)

SHRI G. A. CHARAN REDDY : We have a burning problem in Andhra Pradesh. You have to come to the rescue of Andhra Pradesh.

[Translation]

PROF. RITA VERMA : Mr. Chairman Sir, I have also given the notice. Please allow me to speak.

MR. CHAIRMAN : Let me see.

..... (Interruptions)

[English]

DR. Y.S. RAJA SEKHARA REDDY : Sir, we have given notices. ...*(Interruptions)*.